
	SPRINGFIELD POLICE DEPARTMENT POLICY MANUAL	POLICY # 1.3.8
EFFECTIVE DATE 10/30/23	 Andrew Shearer, Chief of Police	ACCREDITATION REFERENCE 2.2.3

Child Abuse

1.3.8.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Springfield Police Department members are required to notify the Department of Human Services (DHS) of suspected child abuse.

1.3.8.2 DEFINITIONS

Definitions related to this policy include:

Child: Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse: Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency (ORS 419B.010). See Section 1.3.8.4.c for examples of abuse of a child.

Department of Human Services (DHS): Oregon's principal agency responsible for overseeing a wide range of assistance programs and services, to include how and where to report child abuse. DHS offers a 24-hr service hotline where any person or mandated reporter can or must report suspected cases of abuse.

1.3.8.3 POLICY

The Springfield Police Department will investigate all reported incidents of alleged criminal child abuse and ensure that DHS is notified as required by law.

1.3.8.4 MANDATORY NOTIFICATION

- a) Members of the Springfield Police Department shall notify DHS when a report of child abuse is received or when there is reasonable cause to believe that a child has suffered abuse (ORS 419B.010).
- b) For purposes of notification, a child is an unmarried person under 18 years of age (ORS 419B.005(2)).

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- c) For purposes of notification, abuse of a child includes but is not limited to assault or physical injury of a non-accidental nature; rape, sexual abuse, or sexual exploitation, including contributing to the sexual delinquency of a minor; threatened harm; negligent treatment or maltreatment; buying or selling a child; unlawful exposure to a controlled substance or to the unlawful manufacturing of a cannabinoid extract; permitting a child to enter or remain in or upon premises where methamphetamines are manufactured; or any other act described in ORS 419B.005(1)(a).

1.3.8.5 NOTIFICATION PROCEDURE

Notification should occur as follows (OAR 413-015-0305):

- a) Verbal notification to DHS shall be made immediately to the Oregon Child Abuse Hotline when the officer determines that the report of alleged abuse or neglect requires an immediate joint response. The hotline number is 1-855-503-7233.
- b) Verbal, electronic transmission, or hand-delivered notification to DHS of all other reports of child abuse or neglect shall be made by the end of the next business day.
- c) Notification, when possible, should include:
 - 1. The name and contact information of the confidential reporter.
 - 2. The name, address, and age of the child.
 - 3. The name and address of the child's parents or other person who is responsible for care of the child.
 - 4. The nature and extent of the abuse or neglect, including any evidence of previous abuse or neglect.
 - 5. The explanation given for the abuse or neglect.
 - 6. Where the abuse or neglect occurred.
 - 7. Identity and whereabouts of the alleged perpetrator.
 - 8. Any other information that the person making the report believes might be helpful in establishing the cause of the abuse or neglect and the identity and whereabouts of the perpetrator.
 - 9. The name and contact information for the assigned DHS worker and officer.

When the abuse occurs at a facility or by a person from a facility that requires a state license from the Oregon Employment Department, Child Care Division (e.g., childcare facility), notification shall also be made to that agency. If the alleged child abuse occurred in a school or was related to a school-sponsored activity, notification shall be made to the Department of Education (ORS 419B.020).

1.3.8.6 QUALIFIED INVESTIGATORS

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Qualified investigators should be available for child abuse investigations. These investigators should:

- a) Conduct interviews in child appropriate interview facilities.
- b) Be familiar with forensic interview techniques specific to child abuse investigations.
- c) Present cases of alleged child abuse to the prosecutor for review when warranted.
- d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- e) Provide referrals to victim services, victim advocates, guardians and support for the child and family as appropriate.
- f) Participate in or coordinate with multidisciplinary investigative teams as applicable (ORS 418.747).

The Detective Sergeant shall have the responsibility to ensure that the investigation is complete and assign any required follow-up activities.

1.3.8.7 INVESTIGATIONS AND REPORTING

Unless there are exigent circumstances officers should not interview children of alleged abuse. All children, under the age of 18, who have disclosed sexual abuse, physical abuse, or neglect should be referred to Kids FIRST for a forensic interview, and a medical assessment if applicable. Officers shall note the referral in the status portion of the Incident report to assist Records personnel with efficient routing of reports.

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated. Officers should interview the person to whom the child disclosed the abuse.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- b) The exigent circumstances that existed when officers interviewed the child victim.
- c) Any relevant statements the child may have made and to whom he/she made the statements.
- d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision.
- e) Documentation of any visible injuries or any injuries identified by the child. Officers shall immediately photograph or cause to have photographed the suspicious physical injuries.
- f) Whether the child victim was transported for medical treatment or a medical examination.

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- g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- i) Previous addresses of the victim and suspect if applicable.
- j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

All children, under the age of 18, who have disclosed sexual abuse, physical abuse, or neglect should be referred to Kids FIRST for a forensic interview, and a medical assessment if applicable. Officers shall note the referral in the status portion of the Incident report to assist Records personnel with efficient routing of reports.

1.3.8.8 KARLY'S LAW

In all cases of suspicious physical injury to a child, the investigating officer shall, in accordance with any relevant county multidisciplinary team protocols (ORS 419B.023):

- a) Immediately photograph or cause to be photographed any visible injuries or any injuries identified by the child if practicable, and in the manner described in ORS 419B.028.
- b) Ensure that photographs of the injuries are distributed to the designated medical professional and placed in any relevant files by the end of the next regular business day or within 48 hours, whichever occurs later (ORS 419B.028(2)).
- c) Ensure that a designated medical professional conducts a medical assessment of the child within 48 hours or sooner, according to the child's medical needs. If a designated medical professional is unavailable for the assessment, the investigating officer must ensure that the child is evaluated by an available physician.

1.3.8.9 CHILD SEXUAL EXPLOITATION

Allegations of sexual exploitation involving visual recordings of sexual conduct of children have the potential to expand the investigation to a complex multi-jurisdictional investigation. Members responding to these calls shall:

- (a) Determine the media (printed, electronic, film, video tape, etc.) on which the visual recordings of sexual conduct of children exist.

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- (b) Prohibit any person from further viewing or distributing the visual recordings of sexual conduct of children. This includes having any of the recordings duplicated or otherwise sent to the member's email or cell phone.
- (c) Members shall inform persons who have evidence on their electronic devices (i.e., smartphones, tablets, computers) to not delete the recordings or images until they can be extracted by Digital Evidence Investigators or an appropriate agency.
- (d) Lawfully secure items of potential evidentiary value by seizing them as evidence under a warrant, consent, or other exceptions to the warrant requirement. Extreme care should be taken when seizing computers and other electronic devices/media on which the recordings are stored to ensure the evidence is preserved.
- (e) Interview and obtain clear and detailed statements from witnesses who observed the recordings regarding the sexual conduct depicted in the visual recordings.
- (f) Notify the Watch Commander and advise them of the circumstances in order to determine whether or not a detective will respond to coordinate the investigation.

1.3.8.10 INVESTIGATIONS ON SCHOOL PREMISES

- a) When an investigation of child abuse is conducted on school premises, the investigating officer shall first notify the school administrator of the investigation, unless the school administrator is a subject of the investigation.
- b) The investigator should present identification to school staff members. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.
- c) At the investigator's discretion, the school administrator or a school staff member designated by the school administrator may be present to facilitate the investigation.

These provisions apply to an investigation that involves an interview with the suspected victim of abuse or witnesses and not to investigations or interviews of a person suspected of having committed the abuse (ORS 419B.045).

1.3.8.11 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DHS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should consult with DHS regarding placement options including delivery of the child to another qualified

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parent or legal guardian. If it reasonably appears that the release would endanger the child or result in abduction, the officer shall ensure that the child is delivered to DHS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody. The detective division supervisor shall be notified immediately any time a child is taken into protective custody for sex abuse related investigations or physical abuse investigations involving serious physical injury.

Children may only be removed from a parent or guardian in the following situations (ORS 419B.150):

- a) When there is reasonable cause to believe any of the following:
 1. An imminent threat of severe harm to the child exists
 2. The child poses an imminent threat of severe harm to self or others
 3. An imminent threat that the child may be removed from the jurisdiction of the juvenile court exists
- b) When the juvenile court has issued a valid order that the child is to be taken into protective custody.
- c) When it reasonably appears that the child has run away from home.

1.3.8.12 NOTICE TO PARENTS

When an officer takes a child into protective custody, if possible, the officer shall:

- a) Make reasonable efforts to immediately notify the child's parents or guardian, regardless of the time of day. Unless the child's parents or guardians are the subjects of an investigation involving the child, then the notification should be made after the parents or guardians have been interviewed
- b) Advise the reason the child has been taken into custody
- c) Provide general information about the child's placement and the telephone number of the local DHS office, including any after-hours telephone numbers (ORS 419B.020).

1.3.8.13 INTERVIEWS

Unless there are exigent circumstances officers should not interview children of alleged abuse. All children, under the age of 18, who have disclosed sexual abuse, physical abuse, or neglect should be referred to Kids FIRST for a forensic interview, and a medical assessment if applicable. If an exigent interview must be done officers will attempt to contact an SPD member specially trained in such interviews. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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1.3.8.14 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not involuntarily detain a child who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- a) Exigent circumstances exist, such as
 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- b) A court order or warrant has been issued.

1.3.8.15 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination and contact the Lane County District Attorney Police Legal Advisor.

1.3.8.16 SUPERVISOR RESPONSIBILITIES

The Supervisor should:

- a) Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors to investigate incidents concerning drug endangered children.
- b) Activate any available interagency response when an officer notifies the Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

1.3.8.17 SAFE HAVEN PROVISION

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The Springfield Police Department recognizes that under state law (ORS 418.017) a parent may leave an infant in the physical custody of an agent, employee, physician or other medical professional working at the authorized facility if the infant is 30 days of age or younger as determined to a reasonable degree of medical certainty; and has no evidence of abuse. The person leaving the newborn is not required to provide any identifying information about the newborn or parent and may leave the facility at any time. Any of the following locations are authorized facilities:

1. Hospital;
2. Physician's Office;
3. Birthing Clinic;
4. County Health Department;
5. Sheriff's Office;
6. Police Station; or
7. Fire Department

When an infant is surrendered to this department, members of the Springfield Police Department shall follow the provisions set forth in ORS 418.017.

Either parent may surrender the infant. The parent is not required to provide any identifying information about the infant or the parent. (This does not preclude department members from asking questions concerning identity.)

1.3.8.18 RESPONSIBILITIES

From the moment the infant is left by the parent at the Springfield Police Department, the infant is deemed abandoned for purposes of ORS 419B.100, and the department is deemed to have protective custody of the infant under ORS 419B.150. The department can only release the infant to the Department of Human Services at this point, regardless of whether one or both parents request the return of the child into their care.

If a parent seeks to surrender their infant to a department member, the department member shall:

- a) Estimate if the infant is 30 days of age or younger. Requesting an opinion from a doctor or EMT is appropriate if the department member is uncertain if the infant is 30 days of age or younger.
- b) Check the infant for any visible signs of abuse.

In having protective custody, the department member having received the infant shall, within 24 hours, do the following:

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- a) Notify the Department of Human Services (DHS) that an infant has been left at the Springfield Police Department under subsection 1 of ORS 418.017. This should be done as soon as practicable after receiving the infant.
- b) Call for an EMT to do a medical examination to ensure the infant needs no immediate medical attention.
- c) Release the infant to the Department of Human Services when release is appropriate considering the infant's medical condition.

1.3.8.19 RELEASE OF REPORTS

- a) Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (ORS 419B.035).
- b) Information may be shared to the appropriate military authorities regarding a child who is the subject of a report of child abuse when the parent or guardian of the child is in the military (ORS 419B.015).

1.3.8.20 COUNTY MULTIDISCIPLINARY CHILD ABUSE TEAM AND PROTOCOL

The Investigations Division supervisor should ensure specialized investigators are familiar with current written protocols and procedures for child abuse investigations developed by the multidisciplinary child abuse team are available to all department members (ORS 418.747). A Detective or Detective supervisor should be assigned to participate in the regularly scheduled MDT Case review. The process encourages mutual accountability and helps to assure that children's needs are met in a sensitive, effective, and timely manner. Case reviews are coordinated by Kids FIRST and facilitated by the Lane County District Attorney's Office. Case reviews occur on the 2nd and 4th Thursday of each month, and routinely take place at Kids FIRST located at 299 E. 18th Avenue in Eugene

1.3.8.21 CHILD FATALITY REVIEW TEAMS

Pursuant to the Lane County MDT protocols, this department should cooperate with any child fatality review team and investigation (ORS 418.785).

1.3.8.22 DISPOSITION OF INVESTIGATION

Each investigation of child abuse shall be concluded with one of the following dispositions (ORS 419B.026):

- a) Founded
- b) Unfounded

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c) Undetermined

1.3.8.23 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases.